

Regular Meeting

Agenda Item #	5
Meeting Date	February 28, 2005
Prepared By	Barbara B. Matthews
Approved By	

Discussion Item	First Reading Ordinance – Contract with Charron Construction Consulting, Inc.
Background	<p>In July 2003, the City entered into a contract with Charron Construction Consulting, Inc. for construction project management and consulting services related to the Community Center project. This contract was for a not-to-exceed amount of \$43,000. In accordance with the City's procurement policy, the former City Manager administratively authorized an administrative extension of this contract in the amount of 25 percent above the base contract price.</p> <p>Because the City still required construction project management and consulting services for the Community Center project, the City entered into a new contract with Charron Construction Consulting, Inc. The City Council authorized this new contract by adoption of Ordinance #2004-29 on October 11, 2004. It provided for a not-to-exceed amount of \$48,966.</p> <p>Since the adoption of Ordinance #2004-29, the City has utilized the services of Charron Construction Consulting, Inc. more extensively than originally envisioned. In addition to on-going project management duties, the firm has assisted the City in resolving a significant number of Proposed Change Orders (PCOs) and certain permitting issues with Montgomery County. Continued use of the services of Charron Construction Consulting, Inc. through completion of the Community Center project will require the execution of a new contract with the firm. Because of the complexity of the Community Center project and the advanced nature of the construction, the City has the ability to enter into a new contract with Charron Construction Consulting as a sole source procurement.</p> <p>Staff recommends that the City enter into a new contract with Charron Construction Consulting, Inc. in an amount not-to-exceed \$80,000; the amount actually paid by the City will be based on the hours of service provided by Charron Construction Consulting. As indicated during the Community Center update provided by the City Manager on February 22, 2005, it is anticipated that another employee from Charron Construction Consulting, whose hourly billing rate is lower, will provide assistance with the Community Plaza Level portion of the project. Ms. Jeryl DiPietro will continue to serve as the City's point-of-contact for all matters pertaining to the work being performed by James F. Knott Construction Company, Inc.</p>
Policy	<p>Under the provisions of Section 9A-6 (a) of the City Code, the Council must approve by ordinance any expenditure of \$10,000 or more.</p> <p>Sole source 7.08.070(d) of the City Code allows a contract to be awarded without competitive bidding when the City Manager determines that there is only one available source for the service.</p>
Fiscal Impact	Not-to-Exceed \$80,000 – To be charged to Community Center Fund
Attachments	Draft Ordinance

Recommendation	Staff recommends that the Council adopt the attached ordinance, approving a contract with Charron Construction Consulting, Inc.
Special Consideration	

ORDINANCE # 2005-
Authorization for Contract Award for Construction Consultant

WHEREAS, after soliciting proposals, the City entered into a contract with Charron Construction Consulting, Inc. for construction project management and consulting services related to the Community Center project in July 2003; AND

WHEREAS, said contract was for a for a not-to-exceed amount of \$43,000; AND

WHEREAS, in accordance with the City's procurement policy, the previous City Manager administratively authorized an extension in the amount of 25 percent above the base contract price; AND

WHEREAS, the City still required construction project management and consulting services; AND,

WHEREAS, after soliciting proposals, the City subsequently entered into a new contract with Charron Construction Consulting, Inc. for a not-to-exceed amount of \$48,966 in October 2004; AND,

WHEREAS, since execution of said contract in October 2004, the City has utilized the services of Charron Construction Consulting, Inc. more extensively than originally envisioned; AND,

WHEREAS, continued use of the services of Charron Construction Consulting, Inc. through completion of the Community Center project will require the execution of a new contract; AND,

WHEREAS, in accordance with Section 7.08.070(d) of the City Code, a contract may be awarded without competitive bidding when the City Manager determines that there is only one available source for the service; AND,

WHEREAS, the City Manager believes that Charron Construction Consulting, Inc. is the only firm that can practically provide the services needed by the City, given the complexity of the Community Center project and the advanced nature of the construction; AND,

WHEREAS, staff recommends that the City enter into a new contract with Charron Construction Consulting, Inc. in an amount not-to-exceed \$80,000.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the City Manager is authorized to enter into a contract with Charron Construction Consulting, Inc. in an amount not-to-exceed 80,000, such expenditure to be charged to the Community Center Fund.

Adopted this _____ day of _____, 2005.